

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA)	
)	
v.)	No. 1:14-cr-86-03-JL
)	No. 1:14-cr-87-02-PB
WILLIAM SWANSON)	
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**UNITED STATES' ASSENTED TO MOTION TO CONSOLIDATE
DEFENDANT'S PENDING CRIMINAL MATTERS**

Now comes the United States of America, by its attorney, John P. Kacavas, United States Attorney for the District of New Hampshire, and hereby requests that the Honorable Court consolidate the above-referenced pending criminal matters (No. 1:14-cr-86-03-JL and No. 1:14-cr-87-02-PB) before one United States District Court Judge in order to conserve judicial resources. In support thereof, the United States represents the following to the Court.

(1) Defendant William Swanson was charged in three (3) separate indictments, each of which was assigned to a separate United States District Court Judge. See United States v. William Swanson, Cr. No. 14-86-03-JL; United States v. William Swanson, Cr. No. 14-87-02-PB, and United States v. William Swanson, Cr. No. 14-93-06-LM. Two (2) of the indictments, Cr. No. 14-87-02-PB and Cr. No. 14-93-06-LM, charged defendant Swanson with engaging in a conspiracy to distribute, and possess with intent to distribute, marijuana. The third indictment charged Swanson with engaging in a conspiracy to distribute oxycodone (Cr. No. 14-86-03-JL).

(2) Defendant Swanson has entered into a plea agreement with the United States which provides that he will plead guilty to two (2) of the three (3) indictments, including United States v. William Swanson, Cr. No. 14-86-03-JL; United States v. William Swanson, Cr. No. 14-87-02-PB. In return for defendant Swanson's agreement to plead to two (2) of the indictments, the United

States has agreed to dismiss the third indictment, United States v. William Swanson, Cr. No. 14-93-06-LM, at the time of defendant Swanson's sentencing.

(3) Because the parties have entered into a plea agreement, a Rule 11, Fed. R. Crim. P., hearing must be scheduled. However, because the matters have been assigned to separate judges, Chief Judge LaPlante and Judge Barbadoro, it would be a waste of judicial resources to require the Court to engage in two (2) separate Rule 11 hearings. Accordingly, in order to conserve judicial time and resources, the United States respectfully requests that: (1) the pending matters be consolidated before one United States District Court judge; (2) a Rule 11 plea hearing be scheduled on the same date for both matters; and (3) the sentencing hearings in United States v. William Swanson, Cr. No. 14-86-03-JL and United States v. William Swanson, Cr. No. 14-87-02-PB be scheduled to occur on the same date. Counsel for defendant Swanson, John T. Pendleton, Esquire, has been contacted and assents to the United States' request.

Dated: October 21, 2014.

JOHN P. KACAVAS
United States Attorney

By: /s/ Terry L. Ollila
Terry L. Ollila
Assistant U.S. Attorney
Bar No. 560603
55 Pleasant Street
Concord, New Hampshire

CERTIFICATE OF SERVICE

I, Terry L. Ollila, AUSA, hereby certify that a copy of the foregoing has been sent this date, October 21, 2014, to John T. Pendleton, Esquire, counsel for defendant.

/s/ Terry L. Ollila

Terry L. Ollila

Assistant U.S. Attorney

The motion of the United States is:

GRANTED ____ DENIED ____

Dated: October , 2014.